

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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)	Case No. 1:21-cv-00135
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)	
In re Clearview AI, Inc. Consumer Privacy)	Judge Sharon Johnson Coleman
Litigation)	
)	Magistrate Judge Maria Valdez
)	
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)	
)	

JOINT MOTION TO STAY CASE UNTIL FEBRUARY 5, 2021

Plaintiffs David Mutnick, Mario Calderon, Jennifer Rocio, Maria Broccolino, John McPherson, Sean Burke, James Pomerene, Shelby Roberson, Dean John, Ryan Balfanz, Benjamin Jais, Rosemary Arias, Aimee Albrecht, Anthony Hall, Chris Marron, and Maryann Daker, and Defendants Clearview AI, Inc., Hoan Ton-That, and Richard Schwartz (collectively, the “Clearview Defendants”) by and through their respective counsel, move for a short stay of the above-captioned matter (the “Action”) through February 5, 2021 to allow Plaintiffs and the Clearview Defendants to pursue mediation on February 2, 2021 before the Honorable Wayne R. Andersen (Ret.) in an attempt to resolve the Action. In support of this Motion, the parties state as follows:

1. On December 15, 2020, the Judicial Panel on Multidistrict Litigation issued a Transfer Order, which transferred to this Court for consolidated pretrial proceedings the following nine putative class actions: *Mutnick v. Clearview AI, Inc., et al.* (“*Mutnick*”), No. 1:20-cv-512 (N.D. Ill.); *Hall v. Clearview AI, Inc.* (“*Hall*”), No. 1:20-cv-846 (N.D. Ill.); *Marron, et al. v. Clearview AI, Inc., et al.* (“*Marron*”), No. 1:20-cv-2989 (N.D. Ill.); *Calderon, et al. v. Clearview AI, Inc., et al.* (“*Calderon*”), No. 1:20-cv-1296-CM (S.D.N.Y.); *Roberson v. Clearview AI, Inc.*

(“*Roberson*”), No. 1:20-cv-1296-CM (S.D.N.Y.); *Broccolino v. Clearview AI, Inc.* (“*Broccolino*”), No. 1:20-cv-2222-CM (S.D.N.Y.); *Burke, et al. v. Clearview AI, Inc., et al.* (“*Burke*”), No. 1:20-cv-3104-CM (S.D.N.Y.); *McPherson v. Clearview AI, Inc., et al.* (“*McPherson*”), No. 1:20-cv-3053-CM (S.D.N.Y.); and *John, et al. v. Clearview AI, Inc.* (“*John*”), No. 1:20-cv-3481-CM (S.D.N.Y.). ECF No. 1.

2. On January 15, 2021, the Court scheduled a status hearing for January 26, 2021 (“Status Hearing”). ECF No. 2.

3. A mediation before the Hon. Wayne R. Andersen (Ret.) has been scheduled on February 2, 2021. All Plaintiffs and the Clearview Defendants have agreed to participate in the mediation.

4. In light of the upcoming mediation, the parties respectfully request that the Court enter a short stay in the Action to and through February 5, 2021, and reset the Status Hearing to a date thereafter. Doing so will allow for the possibility of a negotiated resolution to the Action while conserving judicial and party resources. Under the circumstances, it would be inefficient for the Court to expend resources setting deadlines and accepting and reviewing lead counsel applications.

5. Given the short duration of the requested stay and the fact that all Plaintiffs and the Clearview Defendants are participating in the mediation, no party can claim that the requested stay will cause any prejudice. Moreover, the requested stay will not unduly delay the Action.

6. This is the first request by any party to stay or extend the deadlines in the consolidated Action.

WHEREFORE, for these reasons, the parties respectfully request that the Court enter an order staying the Action until February 5, 2021 and resetting the Status Hearing to a date thereafter.

DATED: January 22, 2021

/s/ Scott Drury

Scott R. Drury
Mike Kanovitz
Elizabeth Wang
LOEVY & LOEVY
311 N. Aberdeen, 3rd Floor
Chicago, Illinois 60607
Telephone: (312) 243-5900
drury@loevy.com
mike@loevy.com

Attorneys for Plaintiff David Mutnick

/s/ Joshua A. Arisohn

Joshua D. Arisohn
Scott A. Bursor
BURSOR & FISHER, P.A.
888 Seventh Avenue
New York, New York 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
scott@bursor.com
jarisohn@bursor.com

Frank S. Hedin
David W. Hall
HEDIN HALL LLP
Four Embarcadero Center, Suite 1400
San Francisco, California 94104
Telephone: (415) 766-3534
Facsimile: (415) 402-0058
fhedin@hedinhall.com

Attorneys for Plaintiffs Mario Calderon and Jennifer Rocio

/s/ Melissa R. Emert

Melissa R. Emert
STULL, STULL & BRODY
6 East 45th Street
New York, New York 10017
Telephone: (954) 341-556

Facsimile: (954) 341-5531
memert@ssbny.com

Lynda J. Grant
THEGRANTLAWFIRM, PLLC
521 Fifth Avenue, 17th Floor
New York, NY 10175
Telephone: (212) 292-4441
Facsimile: (212) 292-4441
lgrant@grantfirm.com

Attorneys for Plaintiff Maria Broccolino

/s/ Joseph P. Guglielmo
Joseph P. Guglielmo
Carey Alexander
SCOTT+SCOTT ATTORNEYS AT LAW LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, New York 10169
Telephone: (212) 223-6444
Facsimile: (212) 223-6334
jguglielmo@scott-scott.com
calexander@scott-scott.com

Erin Green Comite
Margaret B. Ferron
SCOTT+SCOTT ATTORNEYS AT LAW LLP
156 South Main Street
P.O. Box 192
Colchester, CT 06415
Telephone: (860) 537-5537
Facsimile: (860) 537-4432
ecomite@scott-scott.com
mferron@scott-scott.com

Amber L. Eck
Alreen Haeggquist
Aaron M. Olsen
Ian Pike
HAEGGUIST & ECK, LLP
225 Broadway, Suite 2050
San Diego, CA 92101
Telephone: (619) 342-8000
Facsimile: (619) 342-7878

ambere@haelaw.com
alreenh@haelaw.com
aaron@haelaw.com

Attorneys for Plaintiffs John McPherson, Sean Burke, and James Pomerene

/s/ Steven T. Webster

Steven T. Webster (VSB No. 31975)
Aaron S. Book (VSB No. 43868)
WEBSTER BOOK LLP
300 N. Washington St., Suite 404
Alexandria, VA 22314
(888) 987-9991 (telephone and fax)
swebster@websterbook.com
abook@websterbook.com

Attorneys for Plaintiff Shelby Roberson

/s/ James J. Pizzirusso

James J. Pizzirusso
HAUSFELD LLP
1700 K St., NW, Ste. 650
Washington, DC 20006
Telephone: (202) 540-7200
Facsimile: (202) 540-7201
jpizzirusso@hausfeld.com

Scott Martin
Steven M. Nathan
HAUSFELD LLP
33 Whitehall St., 14th Floor
New York, NY 10004
Telephone: (646) 357-1100
smartin@hausfeld.com
snathan@hausfeld.com

Greg G. Gutzler
DICELLO LEVITT GUTZLER LLC
444 Madison Avenue, Fourth Floor
New York, NY 10022
Telephone: (646) 933-1000
ggutzler@dicellolevitt.com

Adam J. Levitt

Amy E. Keller
DICELLO LEVITT GUTZLER LLC
Ten North Dearborn Street, Sixth Floor
Chicago, IL 60602
Telephone: (312) 214-7900
alevitt@dicellolevitt.com
akeller@dicellolevitt.com

Eric H. Gibbs
David M. Berger
GIBBS LAW GROUP LLP
505 14th Street, Suite 1110
Oakland, CA 94611
Telephone: (510) 350-9713
ehg@classlawgroup.com
dmb@classlawgroup.com

Attorneys for Plaintiffs Dean John, Ryan Balfanz, Benjamin Jais, Rosemary Arias, and Aimee Albrecht

/s/ Michael W. Drew
Michael Drew
Neighborhood Legal LLC
20 N. Clark Street #3300
Chicago, IL 60602
Telephone: (312) 967-7220
mwd@neighborhood-legal.com

Michael Wood
Community Lawyers LLC
20 N. Clark Street, Suite 3100
Chicago, IL 60602
Telephone: (312) 757-1880
mwood@communitylawyersgroup.com

Attorneys for Plaintiff Anthony Hall

/s/ Katrina Carroll
Katrina Carroll
Kyle A. Shamberg
Nicholas R. Lange
CARLSON LYNCH LLP
111 West Washington Street, Suite 1240
Chicago, Illinois 60602

Telephone: (312) 750-1265
kcarroll@carlsonlynch.com
kshamberg@carlsonlynch.com
nlange@carlsonlynch.com

Gary Lynch
glynch@garylynch.com
CARLSON LYNCH LLP
1133 Penn Avenue, 5thFloor
Pittsburgh, PA 15222
Telephone: (412) 322-9243

Richard R. Gordon
Gordon Law Offices, Ltd.
111 W. Washington St.
Ste. 1240
Chicago, IL 60602
Telephone: (312) 332-5200
rrg@gordonlawchicago.com

Attorneys for Plaintiffs Chris Marron and Maryann Daker

/s/ Lee Wolosky
Lee Wolosky
Andrew J. Lichtman
JENNER & BLOCK LLP
919 Third Avenue
New York, New York 10022-3908
Telephone: (212) 891-1600
lwolosky@jenner.com
alichtman@jenner.com

Howard S. Suskin
David P. Saunders
JENNER & BLOCK LLP
353 North Clark Street
Chicago, Illinois 60654
Telephone: (312) 222-9350
hsuskin@jenner.com
dsaunders@jenner.com

Floyd Abrams
Joel Kurtzberg
CAHILL GORDON & REINDEL LLP
32 Old Slip

New York, NY 10005
Telephone: (212) 701-3000
fabrams@cahill.com
jkurtzberg@cahill.com

Attorneys for Defendants Clearview AI, Inc., Hoan Ton-That, and Richard Schwartz

CERTIFICATE OF SERVICE

I certify that on January 22, 2021 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a Notice of Electronic Filing to all counsel of record.

By: /s/ Lee Wolosky
Lee Wolosky